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Situation of human rights in Myanmar*

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Special Rapporteur on the situation of human rights in Myanmar, Tomás Ojea Quintana, in accordance with paragraph 6 of General Assembly resolution 62/222.

* This report was submitted after the deadline so as to include the most recent developments.

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Report of the Special Rapporteur on the situation of human rights in Myanmar

Summary

In its resolution 1992/58, the Commission on Human Rights established the mandate on the situation of human rights in Myanmar, which was then extended by the Human Rights Council in its decision 1/102 and resolution 5/1.

In March 2008, by its resolution 7/32, the Council extended the mandate for one year. On 26 March 2008, Tomás Ojea Quintana (Argentina) was appointed as the new Special Rapporteur, and he officially assumed the function on 1 May 2008.

Following a request for a visit from 3 to 13 August 2008, on 9 July the Special Rapporteur received a positive response from the Government of Myanmar to undertake a mission to that country from 3 to 7 August 2008. The Special Rapporteur would like to thank the Government of Myanmar for its hospitality and the cooperation he received during his first mission to the country. This visit was mainly aimed at establishing working relations with the authorities, to meet with civil society and also with those who do not enjoy their fundamental rights. The programme of the visit is annexed to the report.

The present report is submitted pursuant to General Assembly resolution 62/222. The first part focuses on the activities and programme of work of the Special Rapporteur.

The second part of the report concentrates on substantive issues and elaborates on those related to the protection of human rights in the context of the new Constitution; and the question of participation in the democratic process and organization of the 2010 elections; the right to assembly and right to freedom of opinion and expression and their formulation in the new Constitution; and the question of international humanitarian law and protection of civilians, as well as the situation of specific groups such as ethnic groups, women and children. The Special Rapporteur further elaborates on the mechanisms in place to ensure maximum protection in the context of natural disaster cyclone Nargis, and the living conditions, sustenance and its human rights implications. Finally, the Special Rapporteur discusses developments that have taken place in international cooperation and that relate to human rights issues pertinent to his mandate and the environment for a strengthened cooperation on the promotion and protection of human rights in the country. In his recommendations, the Special Rapporteur includes four core human rights elements for paving the road to democracy in Myanmar.

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I. Introduction

1. The mandate of the Special Rapporteur on the situation of human rights in Myanmar was established in 1992 by the Commission on Human Rights resolution 1992/58. In March 2008, by its resolution 7/32, the Human Rights Council extended the mandate for one year. On 26 March 2008, Tomás Ojea Quintana (Argentina) was appointed as the new Special Rapporteur and he officially assumed the function on 1 May 2008. The present report is submitted in accordance with General Assembly resolution 62/222.

2. Upon assuming the mandate, the Special Rapporteur established contact with the Government of Myanmar through its Permanent Mission at Geneva. In a letter of 6 May 2008, he presented his sympathy to the Government and people of Myanmar regarding the disaster caused by cyclone Nargis.

3. On 3 July 2008, the Special Rapporteur wrote again to the Permanent Representative to announce his intention to conduct a visit to Myanmar from 3 to 13 August 2008. He enclosed the official terms of reference for fact-finding missions by special rapporteurs/representatives of the Commission on Human Rights (E/CN.4/1998/45, appendix V dated 20 November 1997) as applicable to his visit. In addition to the capital city Naypyitaw, the Special Rapporteur expressed his intention to visit Mandalay, Kayin State, Rakhine State and Yangon. In his communication, the Special Rapporteur requested that the Government facilitate the organization of meetings with Government officials; representatives from the political parties and ethnic groups; representatives of the civil society organizations both national and international working in the country; religious groups; and the United Nations country team and the diplomatic community in the country. He also mentioned his intention to visit prisons and to meet in private with a number of prisoners of conscience.

4. On 9 July 2008 the Special Rapporteur received a letter from the Permanent Mission of Myanmar at Geneva inviting him to visit the country from 3 to 7 August 2008. The Special Rapporteur would like to thank the Government of Myanmar for its hospitality and the cooperation he received during his first mission to the country. This visit was mainly aimed at establishing working relations with the authorities, to meet with civil society and also with those who do not enjoy their fundamental rights. The programme of the visit is annexed to the report.

5. Building on the information from his first report to the Council and the findings of his first visit to Myanmar, the present report focuses on the main human rights issues, taking into consideration the main areas of concern expressed by the General Assembly in its resolution 62/222.

6. Finally, the Special Rapporteur would like to extend his sincere thanks to the Office of the United Nations High Commissioner for Human Rights, in particular at Geneva, Bangkok and New York, for assisting him in discharging his mandate.

II. Activities and programme of work of the Special Rapporteur

7. The Special Rapporteur presented his first report (A/HRC/8/12) to the Human Rights Council in June 2008. While in Geneva, he met with representatives of the

Permanent Mission of the Union of Myanmar to the United Nations and held consultations with representatives of Member States, officials of United Nations agencies, representatives of civil society organizations and members of the academic community.

8. The Special Rapporteur flagged to the Council that, in discharging his mandate, he would like to cooperate with and assist the Government of Myanmar in its efforts to promote and protect the human rights of the people of Myanmar. The Special Rapporteur said that he would highlight shortcomings with a view to assisting the authorities to remedy them.

9. The Special Rapporteur sees as the primary objective of his mandate as ensuring effective ways to engage with the authorities to assist the latter in achieving improvements in the protection and promotion of the human rights of the people of Myanmar. This can be done through technical advice and guidance for the establishment of policies, legislation, institutions and structures concerning the protection of human rights in the country.

10. One of the main requirements for achieving this objective is the carrying out of regular visits to Myanmar and frank dialogue with the authorities and civil society.

11. The Special Rapporteur considers his first visit to Myanmar to have been fruitful, since the objective was to establish positive working relations with the authorities, meet with civil society and also with those who do not enjoy their fundamental rights and/or are victims of human rights violations. The Special Rapporteur visited areas affected by cyclone Nargis and took note of the progress made in the reconstruction phase; his visit to Kayin State was cancelled, owing to bad weather conditions. The Special Rapporteur had two constructive meetings with the Government's Human Rights Group, during which it was agreed that the Special Rapporteur would present four core human rights elements that were indispensable for paving the road to democracy. The four core human rights elements are also reflected as recommendations in the present report.

12. The Special Rapporteur would like to highlight the fact that Myanmar is going through a unique moment in its political history. If elections in 2010 are prepared and conducted in an atmosphere in which human rights are fully respected, the process will be credible, resulting in progressive achievement of democratic values. In this regard, the Special Rapporteur requests the full cooperation of the Human Rights Council, as well as the good offices of the Association of Southeast Asian Nations (ASEAN) and other relevant neighbouring countries of Myanmar, to support him in discharging his mandate, and to assist the Government of Myanmar to ensure that the completion of the seven-step road map will be meaningful, will respect human rights, and will entrench democratic values for the country and the people of Myanmar.

13. The Special Rapporteur will continue his regular contacts with the Permanent Mission of Myanmar to the United Nations Office at Geneva and in New York. He will share his findings with the United Nations High Commissioner for Human Rights and the Office of the Secretary-General.

III. Human rights issues

14. Myanmar is party to only two of the core international human rights instruments, namely, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women.

15. However, as a Member State of the United Nations, Myanmar is bound by the provisions of the Universal Declaration of Human Rights and the Government has the obligation to ensure full enjoyment for the people of Myanmar of those rights proclaimed therein. These are fundamental rights, innate to every human being, regardless of one's origin, whether from East, West, South or North. This was why the United Nations General Assembly, a melting pot of all cultures and backgrounds, adopted the Universal Declaration on 10 December 1948.

16. Important developments since the last report to the General Assembly include the finalization of the new Constitution in February 2008 and its adoption through a referendum in May.

17. The next step in the road map for national reconciliation and democratic transition is the election in 2010. As stated in the Universal Declaration of Human Rights, the will of the people shall be the basis of the authority of the Government. The right to freedom of peaceful assembly and association, as well as the right to freedom of opinion and expression, are fundamental rights to be respected in the process towards the establishment of a solid and reliable democracy. However, full enjoyment of those rights remains outstanding in Myanmar, according to reliable reports on the extension of detentions and/or new arrests of political activists.

18. Another important development concerns the protection of human rights and humanitarian assistance during natural disasters. The devastating cyclone Nargis, which struck Myanmar on 2 and 3 May 2008, made landfall in the Ayeyarwady Division. Some 84,537 persons were reported killed, and 53,836 disappeared. A total of 2.4 million people were reportedly affected by this natural disaster. The Government bears main responsibility for addressing the human rights challenges posed by the disaster; this includes cooperation with the international community.

19. Protection of civilians during armed conflict also requires in-depth consideration and respect for international humanitarian law has to be imperative for all parties involved in the conflict. Ethnic minorities must enjoy human rights without discrimination.

A. Human rights in the new Constitution and the full enjoyment of fundamental freedoms

20. On 19 February 2008, the Government announced that the draft Constitution had been finalized and on 9 April, it was announced that a referendum on the adoption of the new Constitution had been scheduled for 10 May 2008. General elections are scheduled to be held in 2010.

21. Notwithstanding the recent cyclone, the Government proceeded with the referendum, as had been announced by the commission responsible for holding it, in its statement 8/2008. On 10 May, the referendum was held in all states and divisions, except for 40 towns in Yangon Division and 7 towns in Irrawady Division that had been hit by cyclone Nargis. In those 47 towns, the referendum was held on

24 May. The head of the Commission for holding the Referendum, Aung Toe, announced that the draft Constitution had been overwhelmingly approved by 92.4 per cent of the 22 million eligible voters, pointing out that there had been a turnout of more than 99 per cent.

22. The National League for Democracy (NLD) publicly dismissed the national referendum on the adoption of the draft Constitution stating that the process had not been inclusive and on 17 May, it rejected the Government's claim that more than 92 per cent of voters had approved the draft Constitution in the first round of the referendum.

23. The Special Rapporteur has received allegations of irregularities surrounding the holding of the referendum. Those included, inter alia, the distribution of advance ballots, intimidation of villagers to secure a "yes" vote, issuance of a temporary registration card in Rakhine state, solely for participation in the referendum, permitting heads of family to vote for the whole family, employees in factories and other enterprises asked to vote in favour, and victims in cyclone-affected areas being incited to vote in favour by distributing aid to them. It was also brought to the attention of the Special Rapporteur that, rather than each polling office announcing its results, the Commission for Holding the Referendum was the only body tasked with the announcement of results and that was done at the national level.

24. During his mission, the Special Rapporteur was informed by the Commission for Holding Referendum that free campaigning either in favour or against the approval of the new State Constitution was not permitted. The Special Rapporteur asked about the possibility of the Government issuing a comprehensive report on how the referendum had been held, as recommended in his report to the Human Rights Council, and the response was that all information concerning the referendum had already been released.

25. The prospect of the country becoming a democratic State will depend on each of the remaining steps of the road map being conducted in a democratic and inclusive manner. The Special Rapporteur recommends to the Government of Myanmar four core human rights elements that are indispensable for paving the road to democracy, to be implemented before the elections of 2010.

26. During his meeting with the National Convention, the Special Rapporteur discussed the provisions of the new Constitution guaranteeing fundamental rights for the people of Myanmar, including chapter I on "State Fundamental Principles" and chapter VIII on "Citizenship, Fundamental Rights and Duties of Citizens".

27. However, the Special Rapporteur notes with concern that a number of existing domestic laws do not comply with those constitutional provisions. In that regard, he recommends to the Government that it initiate the revision of laws to ensure compliance with the constitutional provisions and international human rights standards.

28. The Special Rapporteur would like to stress that, according to the international obligations of Myanmar, exception clauses in the new Constitution which may limit the enjoyment of human rights for reasons of State security, public order, prevalence of law, community peace, morality or any other reason, shall (a) be defined by law; (b) be imposed for one or more specific legitimate purposes; and (c) be necessary for one or more of these purposes in a democratic society, including proportionality. Any limitation which does not follow these requirements and jeopardizes the

essence of the right with vague, broad and/or sweeping formulas, would contravene the principles of legality and international human rights law.

29. At his meeting with the National Convention, the Special Rapporteur was told that an English translation of the new Constitution was under preparation, and that it would be available very soon.

B. Participation in the democratic process: the road to the 2010 elections and the situation of prisoners of conscience

30. Articles 19, 20 and 21 of the Universal Declaration of Human Rights provide for freedom of opinion and expression, of peaceful assembly and association and the right to take part in the government.

31. In January 2007, the Government of Myanmar announced that it had decided to release more than 40 prisoners of conscience. However, in the meantime, the Special Rapporteur received reports of new arrests of political and civil rights activists. As of 10 August 2008, and according to reliable sources, some 2,000 political and civil activists were in detention in Myanmar.

32. The provision included in the Referendum Law for the Approval of the Draft Constitution of the Republic of the Union of Myanmar No. 1/2008 and the existing provisions in the State Law and Order Restoration Council Law No. 5/96 have called into question the openness of the environment in which the referendum was held, given the fact that any opposition to the referendum was expressly proscribed. In the new path towards the elections scheduled for 2010, a number of legal reforms are required for a genuine democratic election. This will include lessons learned from the referendum process, such as effective ways to guarantee, among other rights, the full respect for the anonymity of voters, free campaigning by candidates and free access by voters to information.

33. In this context, the situation of the General Secretary of NLD, Aung San Suu Kyi, and in particular her house arrest, are issues of particular concern. According to Opinion No. 2/2007 of the Working Group on Arbitrary Detention, the Government argued that Aung San Suu Kyi had been arrested because, in 2003, during her political activism in numerous towns, she had committed acts against peace and order of local communities, had made speeches against the Government and had campaigned with the intention of weakening the integrity of Myanmar and the solidarity of ethnic communities. The Government had applied the 1975 State Protection Act. On 25 May 2007, the Government extended Aung San Suu Kyi's arrest for another year, reaching the five-year limit provided for by law. In May 2008, the Government of Myanmar exceeded the limit by again extending Aung San Suu Kyi's arrest with no new evidence or allegations against her, and with no legal basis whatsoever. A new petition to the Working Group on Arbitrary Detention has been submitted.

34. In his meetings with the relevant authorities, the Special Rapporteur reiterated the right to legal counsel and the State's obligation to provide the suspect with one and to guarantee access to the legal counsel. He notes with satisfaction that thereafter, Aung San Suu Kyi met with her lawyer after five years, and he expects that she will meet with her lawyer on a regular basis and as often as deemed necessary by either party. According to reports, and as of 3 September 2008, Aung

San Suu Kyi and her lawyer had met three times to discuss a lawsuit against her continuing detention. The Special Rapporteur hopes that, if such a case is filed, it would be examined in a transparent and impartial manner, as is expected from any independent judiciary. The Special Rapporteur informed the Human Rights Council in June 2008 that Aung San Suu Kyi's detention was in contravention of articles 9, 10 and 19 of the Universal Declaration on Human Rights, according to which no one shall be subjected to arbitrary arrest or detention; everyone is entitled to a fair and public hearing by an independent and impartial tribunal; and everyone has the right to freedom of opinion and expression.

35. During his mission, the Special Rapporteur met with U Win Tin, the longest-serving prisoner of conscience in Myanmar, who has spent 19 years in prison. He had had a hernia operation in January 2008, and suffers from heart problems. He has been sentenced three times, to a total of 21 years' imprisonment. U Win Tin was sentenced in 1995 to an additional ten years for writing to the United Nations about prison conditions.

36. The Special Rapporteur also met with U Gambira, co-founder and spokesperson for the All Burma Monks Alliance, which was instrumental in getting monks onto the streets during the so-called "Saffron Revolution" phase of protests in September 2007. U Gambira was arrested on 4 November 2007 in Singaing township in Mandalay division. He was wearing a blue shirt and pair of pants, as, upon his arrest he had been disrobed by the authorities. The Special Rapporteur has been informed that, since his visit, U Gambira has been charged with ten different violations of laws, including violations of article 505 (A) and (B) of the State Offence Act, article 13/1 of the Illegal Border Crossing Act, article 17 (1) of the Unlawful Association Act and article 5 (j) of the Emergency Protection Act, article 303 A of the Electronic Act and article 6 of the Organization Act for inciting a riot, causing public alarm, bringing the Sasana (Buddhism) into disrepute and violating the press law. At the time of finalization of the present report, the Special Rapporteur was informed that, on 4 September 2008, U Gambira was brought before the court. His lawyers, who had filed a petition on his behalf to allow him to wear his robe in prison, were not allowed entry to the courtroom to present and defend the case. This is in breach of section 340 of the Criminal Procedure Code, and of section 40 of the Prison Act providing for access to a lawyer.

37. The Special Rapporteur also met Thurein Aung and Kyaw Kyaw, who were arrested at the American Centre on Labour Day on 1 May 2007. He also met with Su Su Nway, an NLD member who was arrested on 13 November 2007.

38. The Special Rapporteur was informed that a number of political and civil activists were arrested on 8 August 2008, including Myint Aye, leader of the Human Rights Defenders and Promoters Group, who, at the time of writing of the present report, was in incommunicado detention. Myint Aye had been subject to previous arrests in the past. The Special Rapporteur reiterates his call for freedom of expression and opinion, and regrets the arrests of human rights defenders.

39. On 4 June 2008, the Special Rapporteur was informed of the arrest of Mr. Zarganar, a famous comedian in Myanmar, who had been leading some of the relief efforts after cyclone Nargis. According to information received, some seven police, led by the Yangon Western District police chief and the local council chairman, went to Mr. Zarganar's house just before 8 p.m. on 4 June, searched his house and took him away. In his meeting with the Chief of Police, the Special

Rapporteur enquired about Mr. Zarganar and was told that he was being detained at Insein prison, and had been taken to court on 30 July 2008. He had been taken to court a second time on 7 August 2008 and had been charged with eight alleged offences under the Emergency Provisions Act, section 5 (j) and section 17 (a).

40. On 19 June 2008 a number of NLD members were reportedly arrested in Yangon while releasing sparrows and doves to mark the 63rd birthday of Aung San Suu Kyi.

41. The Special Rapporteur regrets that the majority of prisoners of conscience are detained permanently in solitary confinement, which is against international human rights law, and may also be considered in breach of the new State Constitution, which establishes in article 44, that "there is no right to prescribe punishments that violate human dignity". He also regrets the ongoing practice of charging political and civil activists with unrelated alleged offences as a pretext for their detention.

42. The Special Rapporteur takes note of the fact that the majority of prisoners rely on food and medicine delivered by their families. In this regard, the Special Rapporteur has received allegations that prisoners are intentionally transferred to prisons far from their hometowns, in order to make it difficult, or in some cases impossible, for families to ensure regular and frequent visits to their imprisoned relatives. The Special Rapporteur has also received reports that in some prisons, inmates are denied adequate medical treatment and that Thet Win Aung, a student leader, died in prison due to lack of treatment for malaria. Reports of prisoners having been sent to hard labour camps have also been received.

43. It is also reported that U Ne Win, the 60-year-old NLD secretary, who was arrested on 27 September 2007, suffers from hypertension and heart problems. However, he does not receive any proper medical treatment, and has to rely on medicine provided by his family. On 28 September 2007, he was sentenced to two years' imprisonment with hard labour. Reportedly, he has not been given access to a lawyer, and is currently in Myitkyina prison.

44. The Special Rapporteur has also received reports about U Khun Htun Oo, the 64-year-old Chairman of the Shan Nationalities League for Democracy (SNLD), which gained 23 seats in the 1990 elections. It is reported that, on 7 February 2005, he attended a private meeting of senior political representatives. Soon after, he was arrested and sentenced in November 2005 to 93 years' imprisonment. He was transferred to Puta-O Prison in Kachin State, far from his home and family, where conditions are said to be very harsh. Reports are that he is suffering from prostate problems, diabetes, gout and high blood pressure, and that he is being denied outside medical assistance.

45. The continuing detention of political leaders such as U Win Tin and Hkun Htun Oo puts in great jeopardy the participatory aims of the democratic process as expressed by the Government in its seven-step road map to democracy.

46. With respect to the situation of monks in detention who have been disrobed by the authorities, the Special Rapporteur stresses that, together with article 18 of the Universal Declaration of Human Rights, this practice contravenes article 34 of the new State Constitution, which recognizes the right freely to profess and practice religion, and it is even in contradiction of article 361, which recognizes the special position of Buddhism as the faith professed by the great majority of the citizens of the State.

47. The Special Rapporteur has received numerous allegations that proceedings against prisoners of conscience do not respect basic guarantees, such as the effective exercise of the right to counsel, and that courts lack independence and impartiality. In this regard, he was informed that on 2 September 2008, 7 women and 28 men, leaders of the "88 Generation" students' group, were brought to a court in Insein prison. The judge ordered the continuation of their detention and their appearance the following week before the same court. All of them are said to face multiple alleged charges. It is also reported that none of them was allowed to meet with their lawyers.

48. The Special Rapporteur would like to reiterate his call to the authorities to re-engage with the International Committee of the Red Cross and provide free access to the detention centres, in accordance with its mandate.

49. He welcomes the moratorium on the use of the death penalty. According to information received, to date, some 500 prisoners are sentenced to death, but no execution has been carried out since 1998.

C. Freedom of opinion and expression, the crackdown on the September 2007 demonstrations and its implications for free elections in 2010

50. In his mission report (A/HRC/6/14), the former Special Rapporteur concluded that, during the repression of peaceful demonstrations from 26 to 29 September 2007, the security forces, including the army and the riot police, as well as members of the Union Solidarity and Development Association and the Swan Ah Shin militia, had used excessive force against civilians, including unnecessary and disproportionate lethal force. Following the reprisal, the former Special Rapporteur had received reports alleging killings, severe beatings, arrests, torture and deaths in custody. It was noted that there were solid grounds to believe that at least 31 persons had died, and that some 3,000 to 4,000 people had been arrested as a result of the crackdown on the demonstrations of September and October.

51. The Special Rapporteur has sent 74 cases of enforced disappearance to the Government requesting information on their whereabouts. According to the information brought to the attention of the Special Rapporteur, as of July 2008, there were 700 individuals still detained in relation to the events of September and October 2007.

52. Accountability for these violations of human rights is still pending. The Government of Myanmar established an "Investigation Body", chaired by the Minister for Home Affairs, to investigate the deaths, arrests and disappearances in connection with the crackdown of September (A/HRC/7/G/8). However, no identification and sanction of the personnel responsible has yet occurred. Under articles 8 and 10 of the Universal Declaration of Human Rights and international human rights law, the Government has the duty to investigate the facts effectively, promptly, thoroughly and impartially, and where appropriate, to take action against those allegedly responsible. The Government must also provide victims with access to justice and effective remedies, including reparation.

53. The Special Rapporteur has no information regarding the intervention of an independent and impartial court in the investigation of the abuses. However, he

continues to receive information about prisoners being charged by district courts for their participation in the events.

54. Without due accountability, drastic events such as those of September 2007 may occur again. Not only does this put at stake the rights to life, personal integrity and liberty, but it also demonstrates the vulnerability of the freedom of opinion, expression and peaceful assembly.

D. International humanitarian law, the protection of civilians and ethnic minorities

55. In paragraph 2 (d), of its resolution 62/222, the General Assembly expressed grave concern at the discrimination and violations suffered by persons belonging to ethnic nationalities of Myanmar, particularly in border and conflict areas, and attacks by military forces and non-State armed groups on villages in Karen State and other ethnic states in Myanmar, leading to extensive forced displacements and serious violations and other abuses of the human rights of the affected populations.

56. In this context, the General Assembly in paragraphs 4 (f) and (h), respectively, of resolution 62/222, strongly calls upon the Government of Myanmar to ensure immediately safe and unhindered access to all parts of Myanmar, including conflict and border areas, for United Nations, international humanitarian organizations and their partners and to cooperate fully with those organizations in order to ensure that humanitarian assistance is delivered to all persons in need throughout the country, and to take urgent measures to put an end to the military operations targeting civilians in the ethnic areas, and to the associated violations of human rights and humanitarian law directed against persons belonging to ethnic nationalities, to end the systematic forced displacement of large numbers of persons and other causes of refugee flows to neighbouring countries and to respect existing ceasefire agreements.

57. The Special Rapporteur's visit to Kayin State was cancelled, owing to bad weather conditions. However, he met with a number of civilians who had travelled to Thailand in April 2008. Their villages had been burnt down during military offensives and they had lost their houses and livelihoods and had therefore been forced to flee to Thailand for survival. He also met with a 13-year-old boy who explained that he had lived in Laki village in Thandaung, an hour's walk from the insurgents' base. The village had been attacked in September 2007 and landmines had been laid all around. He had fled with his family to the forest. On 17 November 2007, while he was cutting wood, a mine had exploded in his face and he had lost both eyes.

58. The Special Rapporteur has received information concerning a large number of internally displaced persons in northern Kayin State. Allegations about civilians being forcibly used by the military as porters have also been received. As at July 2008 and according to the Office of the United Nations High Commissioner for Refugees estimations, which include registered camp residents and officially registered Provincial Admission Board applicants, the population of refugees from Myanmar in Thailand was estimated at 131,000.

59. Myanmar is State party to the four Geneva Conventions, which provide, in common article 3, for the protection of civilian population during armed conflicts

not of an international character. These international instruments — recalled also by article 2.2.j of the ASEAN Charter which Myanmar has ratified — together with customary international law and the Universal Declaration of Human Rights, shall be the guidance for military operations in the field.

60. The Special Rapporteur expresses his concern regarding violence against unarmed civilians by the Myanmar army or non-State armed groups, and calls for the ratification of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, and the implementation of measures to assist civilian victims.

61. The Special Rapporteur is also concerned about the situation of a Muslim community in the border area of Northern Rakhine State, which, according to information received, has been arbitrarily deprived of citizenship for many years, in contravention of article 15 of the Universal Declaration of Human Rights.

62. In addition, in that region of the country, which is located on the Myanmar-Bangladesh border, several factors have affected the availability of food, as well as opportunities for households to make up for the shortage. In 2007, weather conditions resulted in a low yield and families that had sold their harvest in advance, at the lower rates of that time, were later forced to buy their own subsistence rice at higher prices. As cyclone Sidr (2007) had destroyed crops both in coastal areas of Myanmar and throughout Bangladesh, families in Myanmar were not able to purchase rice at reduced rates from Bangladesh in order to supplement their own reserves for 2008, as they had done in previous years. At the same time, there are continuing demands on the population by the military for contributions to cyclone Nargis victims. Contributions include cash, paddy (including improved seed), buffaloes and cattle. Furthermore, there are serious travel restrictions in breach of article 13 of the Universal Declaration of Human Rights, which have eliminated conventional means of securing food and income, such as gathering forest products and seeking wage labour.

63. The principle of non-discrimination is enshrined in the main international instruments, such as the Charter of the United Nations (Articles 1.3 and 55), and the Universal Declaration of Human Rights (article 2), and it is contained in all human rights treaties, included the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, to which Myanmar is a State party. It is also contained in the ASEAN Charter (article 2.2 (l)), which Myanmar has ratified. All ethnic minorities, particularly the most vulnerable, shall enjoy human rights without discrimination, and progressive measures should be taken in order to improve the current conditions.

E. Human rights protection and humanitarian assistance in natural disasters

64. Tropical cyclone Nargis struck Myanmar on 2 and 3 May 2008, causing devastation in Ayeyarwady Division and directly hitting the country's largest city, Yangon. As of 24 June 2008, the official death toll was estimated at 84,537. Some 53,836 people were still reported missing.

65. The establishment of the "Tripartite Core Group" bringing together ASEAN, the Government and the United Nations has led to be an effective forum for

discussion and decisions on operational issues to address problems in an effective and prompt manner. The Special Rapporteur welcomes this initiative.

66. He met with the Tripartite Core Group and was briefed on recovery efforts. He was also briefed on activities such as finding permanent solutions for orphans, mainly ensuring as much as possible that they live with relatives and that they are granted scholarships to go back to school. The Group mentioned that there were no reports of forced labour related to cyclone Nargis and that it was very difficult to verify reports of the involuntary return of internally displaced persons. It was mentioned, however, that "land rights" could become problematic. This includes returnees whose property may have been occupied by others, victims' families who want to claim their heritage and also those who lost their property titles during the cyclone. The Group also stressed that speculations regarding the second death wave resulting from the outbreak of infections and diseases in the aftermath of cyclone, were not borne out and that no such outbreaks had been reported by the medical teams from the neighbouring countries actively working in the affected areas.

67. The Special Rapporteur travelled to Labutta in Ayeyawady Division and visited the villages of Kyaukkalat, Khongyi, Pyinsalu and Kyatshar. He met with displaced persons in temporary shelters and visited a school. He had emotional discussions with the survivors of the disastrous cyclone, some of whom had lost their entire family. He took note of the implementation of reconstruction projects.

68. The protection of women and children cluster is co-led by the United Nations Children's Fund (UNICEF) and the international non-governmental organization Save the Children. Such a co-leadership arrangement (which is also in place for the health and education clusters) is unique and has strengthened the engagement of partners in those clusters. Moreover, the joint work of two cluster leaders with different and extensive knowledge in the subject of protection has proved to be mutually reinforcing. The main task is of coordinating among cluster members for the provision of immediate care and protection to children and women in areas affected by the cyclone (Ayeyarwady and Yangon Divisions), and to ensure that common standards and coordinated structures are in place which can promote the full coverage of affected populations.

69. Specific objectives of this cluster are the promotion of family unity and, where possible, prevention of separations; reunification of separated children with their parents or extended family; ensuring adequate care for separated, orphaned and other vulnerable children; ensuring adequate and appropriate care for vulnerable women, including unaccompanied/separated women, female heads of households, pregnant and nursing mothers, injured women, women with disabilities, traumatized, elderly and women living with HIV; promotion of psychosocial well-being of women and children; establishment of safe environments for women and children and mainstreaming the protection of children and women through all clusters.

70. The situation in the country has reportedly fuelled further displacement to neighbouring Thailand. Since the cyclone, some 200 new arrivals have been reported in Tak province.

71. A number of allegations related to forced relocations have been received. Concerns have been raised with regard to the situation of land property of both those who fled the affected areas and those who regrettably died during the cyclone.

Mechanisms should be put in place to address their claims and to protect their rights.

72. In the immediate aftermath of the disaster, many people found themselves displaced. These internally displaced persons face a number of challenges that further increase the vulnerability of their fundamental rights. For this reason, in addition to addressing their immediate needs with regard to their safety, efforts should be focused on access to food and shelter and to the protection of specific fundamental human rights. Issues such as equal access to assistance, the protection against gender and sexual violence; forced military recruitment or forced labour; the reproduction of lost documentation and the challenges people may face upon their return should be prioritized.

F. Living conditions, sustenance and its human rights implications

73. Disasters such as cyclone Nargis can have a devastating effect on survivors who are already suffering from malnutrition. According to information published by UNICEF in its *State of the World's Children 2008*, the malnutrition rate for children in the country is 32 per cent. Organizations such as the World Food Programme were already distributing food to vulnerable groups in Myanmar, including children, pregnant and lactating women, and people with HIV/AIDS and tuberculosis, as part of its relief programme before the cyclone struck the country.

74. According to the information brought to the attention of the Special Rapporteur, adequate access to food remains a challenge in Myanmar. Insufficient nutritious food, poor access to health facilities, inadequate water and sanitation facilities, and limited livelihood opportunities exacerbate the food security situation and jeopardize the full enjoyment of human rights for large portions of the population in the country.

75. The Special Rapporteur continues to receive allegations of arbitrary land confiscation throughout the country, inter alia, confiscation by the authorities of thousands of acres of privately owned farmland in Bogalay in circumstances where farmers had already bought farming equipment and seeds on credit from the Government. The farmers' and landworkers' work and life conditions continue to be precarious.

76. During his meeting with Myanmar Maternal and Child Welfare Association, the Special Rapporteur took note of the Association's engagement in addressing major shortcomings in the realization of economic, social and cultural rights of the people of Myanmar.

IV. Developing cooperation in the context of human rights

77. The country has gone through important changes over the past year and still continues to face complex challenges. The promotion and protection of human rights in the country continue to be among the main challenges ahead. In this context, the traditional concept of the indivisibility and interdependence of civil, cultural, economic, political and social rights is particularly relevant. The transition from a military authority to a civil democratic Government requires a number of structural changes leading to ensuring the involvement of all the sectors of

Myanmar society in the political transition. Moreover, the situation in the areas inhabited by the ethnic minorities would require stabilization and solid peacebuilding. The Special Rapporteur intends to request visits to these areas one at a time, to get a better idea of the reality on the ground and not depend only on reports, which he regularly receives.

78. The Special Rapporteur notes with satisfaction the recent cooperation between ASEAN, the United Nations and the Government of Myanmar in addressing the aftermath of cyclone Nargis.

79. The progressive ratification of the ASEAN Charter, which the Government of Myanmar has already fulfilled, is also a motive of satisfaction. The Charter includes respect and protection of human rights provisions (Preamble and articles 1.7, 2.2(l)), and provides for the establishment of regional human rights body (article 14).

80. The Special Rapporteur notes that the supplementary understanding between the International Labour Organization (ILO) and the Government of Myanmar, reported on in 2007, which provides a mechanism to enable victims of forced labour to seek redress, was extended in February 2008 for a further 12-month trial period. As of 1 July 2008, some 16 months after the establishment of the mechanism, the liaison officer had received a total of 100 complaints, of which 52 have been formally submitted to the Government for its investigation and action. The Special Rapporteur notes that 33 of those cases have been investigated and subsequently closed. There is still a low level of citizens' awareness of this mechanism, which gives them the right to complain. Incidences of reprisals against a number of complainants or those who support others in exercising their rights have been reported and need to be addressed. The Special Rapporteur strongly encourages the Government of Myanmar to maintain its collaboration with the ILO liaison officer with a view to further strengthening the effectiveness of the mechanism.

81. In this regard, it has to be said that article 359 of the new Constitution prohibits any form of forced labour, except hard labour as a punishment for crime duly convicted and duties assigned thereupon by the State in accord with the law in the interest of the people.

82. The Special Rapporteur encourages the donor community to give the United Nations and financial institutions the mandate to strengthen the capacity of State institutions in carrying out the United Nations objectives, including the promotion and protection of human rights.

V. Conclusion

83. **The possibility to visit Myanmar and establish working relations with relevant authorities is very useful for the Special Rapporteur in discharging his mandate. He has a clearer picture of the needs of the country, as well as his interlocutors, whom he thanks again for their hospitality. The Special Rapporteur assessed the great need for human rights capacity-building of States institutions, but also the great potential for such capacity-building, since most of his interlocutors were well educated, ready to learn and apply international human rights standards.**

84. **As reflected in the present report, improvement of human rights in Myanmar is still a challenging task, but the Special Rapporteur refuses to carry**

out his mandate by criticizing and not cooperating. On the contrary, the Special Rapporteur opts for the challenging course of action, which includes engagement and cooperation with the authorities and assisting them to achieve their ultimate goal of restoring democracy and ensuring respect for human rights. This will take time, but it is worth trying, rather than condemning. If, after some time, there is no sign of any results in the horizon, then the Special Rapporteur may decide to change his strategy.

85. International community should remember that the ultimate beneficiaries are the people of Myanmar and that every international decision and action will ultimately affect the population. Therefore, the Special Rapporteur appeals to the international community, Member States of the General Assembly, to provide him with all the necessary means to discharge his mandate in a meaningful manner to assist the Government of Myanmar to improve the situation of human rights of the people in Myanmar.

VI. Recommendations

86. The Government of Myanmar has established the "seven-step road map to democracy", which includes the drafting of the new Constitution, and the holding of a referendum for its approval. The "road map" will continue with general elections in 2010. Respect for international human rights standards is indispensable in paving the road to democracy.

87. In his meetings with the Human Rights Group, the Special Rapporteur mentioned his intention to propose to the Government four core human rights elements to pave "the road to democracy". The Government should implement progressively the four core human rights elements and complete them before the elections of 2010. During this period, the Special Rapporteur stands ready to provide full assistance to the authorities in achieving the objective of each and every core element.

A. First core human rights element: review of national legislation in accordance with the new Constitution and international obligations

88. During his meeting with the National Convention, the Special Rapporteur was informed that chapters I and VIII of the new Constitution provide for a number of rights, including freedom of expression, freedom of opinion, and freedom of peaceful assembly and association. Articles 19 and 20 of the Universal Declaration of Human Rights also provide for these rights.

89. The National Convention also affirmed that the new Constitution had been approved by 92.4 per cent of voters. Therefore, it is clear that, according to that information, the will of the people of Myanmar was, among other things, to recognize their human rights, which include freedom of expression, opinion, peaceful assembly and association, and to enjoy those rights in the process towards the elections of 2010.

90. In this regard, the Special Rapporteur recommends that the Government of Myanmar start reviewing and amending those domestic laws which limit

these fundamental rights and are in contravention with the new Constitution and with international human rights standards.

91. As concerns the State Constitution, article 198 (d) clearly establishes that national law cannot be in contrast with its provisions. With respect to international law, the Charter of the United Nations (Preamble and Article 1.3), the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the ILO conventions, all these international instruments contain obligations regarding protection of human rights that the Government shall respect (see third statement of the Preamble to the Charter of the United Nations, and article 26 — *pacta sunt servanda* — of the Vienna Convention on the Laws of Treaties). Myanmar, as a United Nations Member State having signed the Charter of the United Nations soon after it gained independence in 1948, must honour its international obligations, and cannot invoke provisions of its domestic law as justification for its failure to comply with them (article 27, Vienna Convention).

92. The Special Rapporteur has identified a number of domestic laws which unreasonable limit human rights provided for in the new Constitution and under international law. Any limitation to the enjoyment of these rights shall (a) be defined by law; (b) be imposed for one or more specific legitimate purposes; and (c) be necessary for one or more of these purposes in a democratic society, including proportionality. Any limitation which does not follow these requirements and jeopardizes the essence of the right with vague, broad and/or sweeping formulas, would contravene the principle of legality and international human rights law.

93. According to information received, the office of the Attorney General is tasked with analysing legislation. The following is the first set of domestic laws to be reviewed and amended:

- State Protection Act (1975)
- Emergency Provisions Act (1950)
- Printers and Publishers Registration Act (1962)
- Law Protecting the Peaceful and Systematic Transfer of State Responsibility and the Successful Performance of the Functions of the National Convention against Disturbance and Opposition (No. 5) (1996)
- Law Relating to Forming of Organizations (1988)
- Television and Video Law (1985)
- Motion Picture Law (1996)
- Computer Science Development Law (1996)
- Unlawful Association Act
- Electronic Communication Law
- Sections 143, 145, 152, 505, 505(b) and 295-A of the Penal Code.

B. Second core human rights element: progressive release of prisoners of conscience

94. As a result of a number of political conflicts and circumstances since 1988, there are more than 2,000 prisoners of conscience detained in different facilities around the country.

95. Prisoner of conscience may be defined as a person who: (a) is charged or has been convicted for the infringement of national legislation which impedes reasonable enjoyment of freedom of expression, opinion, peaceful assembly or association; and (b) does not have access to a court, or is being tried by courts which lack independence and impartiality, and/or due process of law is denied. These two circumstances are against basic human rights recognized in the new Constitution and the Universal Declaration of Human Rights. Therefore, prisoners of conscience are basically individuals whose human rights are being systematically denied.

96. The road to democracy includes the general elections in 2010. The essence of any voting is participation and free and fair election. Without the free participation of prisoners of conscience, the very credibility of the general elections of 2010 would be at stake. Release of prisoners would also bring reduction of tension and inspire political participation. Therefore, progressive release of those prisoners is a core human rights element for paving the road to democracy.

97. Given the fact that fundamental rights, such as liberty and personal integrity, are being affected in detention, the release, although progressive, should start as soon as possible. Release must be without the imposition of any particular condition which may result in new forms of diminishing enjoyment of human rights, such as written statements renouncing to political participation or campaign. On the other hand, parallel to the release, immediate measures should be taken to avoid any cruel treatment, to improve conditions of detention, and to ensure urgent medical treatment.

98. In the past, the Government of Myanmar has issued several amnesty laws or decrees for the release of prisoners of conscience, in order to restore human rights and to seek national reconciliation. Such mechanisms, and others, such as pardons, reduction of sentence or conditional release, can now be implemented. The following particular circumstances of prisoners should be taken into account for progressive release:

(a) Elderly prisoners

(b) Prisoners with health limitations

(c) Prominent members of political organizations, and ethnic leaders

(d) Long-standing prisoners

(e) Members of religious orders

(f) Women who have children

(g) Prisoners transferred to forced labour camps

(h) Prisoners not convicted

(i) **Prisoners without previous criminal records**

(j) **Prisoners held in remote jails from their homes.**

99. **Additional criteria include the release of prisoners connected to specific events, such as those arrested in August 1988, May 2003, September 2007 and May 2008, in connection with the referendum and the aftermath of cyclone Nargis.**

C. Third core human rights element: armed forces

100. **Myanmar has been under military regime for decades, and most Government offices and major ministries have been under military administration. Transition to multiparty democratic and civil government, as planned by the new Constitution, will require an intensive process of incorporating democratic values, especially those contained in international human rights and humanitarian law. Transition will also require capacity-building in a wide range of areas and modern governance training.**

101. **In this regard, the following measures should be adopted vis-à-vis the general elections of 2010 to address the various human rights shortcomings:**

(a) **Repeal discriminatory legislation and avoid discrimination practices, particularly in Northern Rakhine State, where a large part of the Muslim community has been deprived of citizenship and movement for many years;**

(b) **Continue developing efforts to attend the aftermath of cyclone Nargis, and implement similar measures to address other humanitarian emergencies in the country;**

(c) **Ensure enjoyment of economic, social and cultural rights. The Special Rapporteur is ready to be the intermediary between the Government of Myanmar and the relevant international mechanisms, including thematic mandate holders, which can contribute on how to achieve improvement regarding those fundamental rights.**

102. **According to the new Constitution, the Armed Forces, *Tatamadaw*, will play an important role in the new government. In this regard, the *Tatmadaw* should develop a number of measures which will include:**

(a) **Respect for international human rights and humanitarian law in areas affected by armed conflict. This will include ensuring efficient working of health providers in the conflict areas;**

(b) **Continuation of the policy applied to avoid recruitment of child soldiers;**

(c) **Forbidding the use of anti-personnel landmines. In this respect, *Tatamadaw* should promote the ratification of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction;**

(d) **Refraining from detaining individuals for alleged infringement of national laws which are under review according to recommendation No. 1. This measure should also encompass police and prison forces;**

(e) Establishing a permanent and meaningful training programme on human rights for members of the *Tatamadaw*, police and prison forces, with international cooperation.

D. Fourth core human rights element: the judiciary

103. The legal framework in Myanmar purports to function impartially issuing sentences under an apparent rule of law. However, under the current functioning, the judiciary is not independent and is under the direct control of the Government and the military.

104. The new Constitution, if correctly interpreted, provides for due process of law and for an independent and impartial judiciary (article 19). These are fundamental conditions for the enjoyment of human rights in a democratic society, as recognized by the Universal Declaration of Human Rights (articles 8 and 10).

105. The gap that exists between the unacceptable functioning of the legal framework under the current conditions, and the principles established in the new Constitution, shows a compelling necessity for immediate change and improvement in order to respect fundamental human rights. In this regard, the judiciary of the Union of Myanmar should undertake a series of measures which include:

(a) Exercise full independence and impartiality, particularly in cases involving prisoners of conscience;

(b) Guaranteeing due process of law, including public hearings, in trails against prisoners of conscience;

(c) Refraining charging individuals for alleged infringement of national laws which are under review according to recommendation No. 1;

(d) Establishing effective judicial mechanisms to investigate human rights abuses in order to fight impunity;

(e) Seeking international technical assistance with a view to establishing an independent and impartial judiciary that is consistent with international standards and principles. In this respect, the Special Rapporteur suggests that the Supreme Court engage with the Special Rapporteur on the independence of judges and lawyers for assistance in this regard.

Annex I

Programme of the visit: 3-7 August 2008

Sunday, 3 August 2008

18:45	Arrive at Mingaladon Airport
19:00	Proceed to Mya Yeik Nyo Hotel
19:15	Arrive at Mya Yeik Nyo Hotel
19:30	Dinner hosted by Deputy Minister for Home Affairs

Monday, 4 August 2008

07:45	Leave Mya Yeik Nyo Hotel
07:50	Arrive at Myanmar Red Cross Society headquarters
08:00	Meeting with Myanmar Red Cross Society
08:35	Proceed to Myanmar Women's Affairs Federation Office
08:40	Arrive at Myanmar Women's Affairs Federation Office
08:45	Meeting with Myanmar Women's Affairs Federation
09:15	Proceed to State Sangha Mahanayaka Office
09:20	Arrive at State Sangha Mahanayaka Office
09:30	Call on Chief Reverend, State Sangha Mahanayaka
10:30	Proceed to Ministry of Religious Affairs
10:35	Arrive to Ministry of Religious Affairs
10:40	Call on Minister of Religious Affairs
11:40	Meeting with 4 Major Religious Federations of Myanmar
12:40	Proceed to Mya Yeik Nyo Hotel
13:15	Lunch hosted by Chairman of Myanmar Red Cross Society
13:45	Rest
14:00	Leave Mya Yeik Nyo Hotel
14:15	Arrive at Yangon Division Military Common
14:20	Meeting with National Disaster Preparedness Central Committee
15:30	Proceed to Ministry of Foreign Affairs (Old Building)
16:00	Meeting with Tripartite Core Group
17:30	Leave Ministry of Foreign Affairs (Old Building)
18:00	Arrive at Mya Yeik Nyo Hotel
19:00	Dinner hosted by Deputy Minister for Religious Affairs

Tuesday, 5 August 2008

07:00	Leave for Airport
07:30	Travel to Ayeyardwady Division by helicopter to see areas affected by cyclone Nargis
13:00	Arrive back at Yangon Airport
13:15	Proceed to Insein Prison
13:30	Visit Insein Prison and meet with prisoners
16:30	Return to Mya Yeik Nyo Hotel
16:45	Meeting with diplomatic corps
17:30	Meeting with United Nations agencies
19:00	Dinner hosted by Deputy Minister for Foreign Affairs

Wednesday, 6 August 2008 (morning schedule cancelled)

06:00-06:20	Departure from Hotel to Mingaladon International Airport
06:25-07:45	Departure from Mingaladon Airport to Nubu, Thotcoco
07:50-08:50	Meeting with Htein Maung and his group
09:00-09:20	Departure from Thotcoco to Pha-an
09:30-10:00	Meeting with Can Saw Mu Thahe, Phado Aung Sun and Democratic Karen Buddhist Army groups
11:00-12:00	Meeting with the United Nations Resident Coordinator
12:00-13:00	Departure from Pha-an to Mingaladon Airport
13:00-13:30	Departure from Mingaladon Airport to Mya Yeik Nyo Hotel
13:30-16:30	Meeting with Political Parties (National League for Democracy (NLD), National Unity Party (NUP), Phao, individual, U Aye Win group, Wuntharnu NLD groups)
16:30-17:30	Departure to Nay Pyi Taw
17:35-18:00	Departure to Shwe Aeit Thae Hotel
18:00-18:10	Departure to Ministry of Home Affairs
18:15-19:45	Meeting with Myanmar Human Rights Group
19:50-20:00	Departure to Shwe Aeit Thae Hotel
20:00-23:00	Dinner hosted by the Myanmar Human Rights Group

Thursday, 7 August 2008

07:00-07:40	Leave Shwe Aeit Thae Hotel from Ministry of Home Affairs
07:45-08:15	Call on Minister for Home Affairs
08:20-08:25	Leave Ministry of Home Affairs from Ministry of Foreign Affairs

08:30-09:00	Call on Deputy Minister for Foreign Affairs
09:00-09:05	Leave Ministry of Foreign Affairs from Myanmar Police Force Headquarters
09:10-09:45	Meeting with Chief of Myanmar Police Force
09:45-09:50	Leave Myanmar Police Force for Ministry of Electric Power N° (1)
09:50-10:20	Meeting with Union Solidarity and Development Association
10:20-10:25	Leave for Ministry of Labour
10:25-11:00	Call on Minister for Labour
11:00-11:05	Leave Ministry of Labour Office of the Attorney General
11:10-11:45	Meeting with responsible persons from the National Convention
11:45-11:50	Leave the Referendum Holding Commission from Shwe Aiet Thae Hotel
12:45-13:45	Lunch hosted by Director-General of the General Administration Department
13:45-13:50	Proceed to Myanmar Maternal and Child Welfare Association
13:50-14:20	Meeting with Myanmar Maternal and Child Welfare Association
14:20-14:30	Proceed to Ministry of Home Affairs
14:30-15:30	Wrap-up meeting with Deputy Attorney General, Dr. Tun Shin Myanmar Human Rights Group
15:30-15:35	Proceed to Shwe Aeit Thae Hotel
15:35-16:00	Rest and prepare for departure
16:00-16:20	Leave for airport
17:00-18:00	Arrive at Mingaladon Airport
18:15-19:00	Meeting with the diplomatic community/press conference
19:15-19:35	Prepare for departure
19:45	Leave Mingaladon Airport for Bangkok